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6 Attorneys for KAREN GOWINS Creditor,
And Many Wildfire Victim Creditors
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9 **UNITED STATES BANKRUPTCY COURT**
NORTHERN DISTRICT OF CALIFORNIA
10 **SAN FRANCISCO DIVISION**

11 *In re:*

12 PG&E CORPORATION

13 -and-

14 PACIFIC GAS AND ELECTRIC
15 COMPANY

Debtors.

16 ☐ Affects PG&E Corporation

17 ☐ Affects Pacific Gas & Electric

18 ☒ Affects Both Debtors

19 *All papers shall be filed in the Lead Case,*
20 *No.19-30088 (DM)*

)
) **Case No. 19-30088 (DM)**
) Chapter 11
) (Lead Case)
) (Jointly Administered)
)
) **EX PARTE APPLICATION FOR AN**
) **ORDER SHORTENING TIME TO HEAR**
) **A MOTION FOR APPOINTMENT OF**
) **AN EXAMINER OF VOTING**
) **PROCEDURAL IRREGULARITIES**
) **PURSUANT TO SECTION 1104 (c) OF**
) **THE BANKRUPTCY CODE AND RULE**
) **2007.1**
)
) Date: TBD
) Time: TBD
) Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

22 This Ex Parte Application is brought on behalf of Karen Gowins, Creditor, and Many
23 Wildfire Victim Creditors, in order to ensure that the Wildfire Victims are not disenfranchised in
24 this Court. The docket is full of Declarations, Statements of Voting Irregularities, Pro Per
25 Motions, and other filings demonstrating the terrible disenfranchisement suffered by the Fire
26 Victims. An examiner is necessary to investigate and determine the facts surrounding this
27

28 EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME TO HEAR A MOTION FOR
APPOINTMENT OF AN EXAMINER OF VOTING PROCEDURAL IRREGULARITIES PURSUANT TO
SECTION 1104 (c) OF THE BANKRUPTCY CODE AND RULE 2007.1

1 extreme failure to provide ballots and disclosure statements to Fire Victims or their counsel, if
2 any. For this reason Moving Parties request that the Court hear their Motion For Appointment of
3 An Examiner of Voting Procedural Irregularities Pursuant to Section 1104 (c) of the Bankruptcy
4 Code and Rule 2007.1 on shortened time.

5 **MEMORANDUM OF POINTS AND AUTHORITIES**

6 **Jurisdiction**

7 This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. sections 157 and
8 1334, the Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General
9 Order 24 N.D. Cal) and Bankruptcy Local Rules 5011-1(a) and Rule 9006-1. This is a core
10 proceeding pursuant to 28 U.S.C. section 157(b). Venue is proper pursuant to 28 U.S.C. sections
11 1408 and 1409.
12

13 **Relief Requested**

14 Moving parties are requesting that the Court appoint an Examiner of voting irregularities.
15 Fire Victim Creditors did not receive ballots or disclosure materials at all, received them after the
16 voting deadline or received them very late in the process. Moreover, the Order setting voting
17 procedures was violated many times by the voting irregularities. At minimum there was
18 incompetence and mismanagement, which resulted in the deprivation of voting rights held by the
19 creditors.
20

21 This is a situation which calls for Appointment of an Examiner pursuant to Bankruptcy
22 Code section 1104 (c) to determine the irregularities in the vote.

23 **Shortening Time is Warranted.**

24 Time is of the essence in this matter, as voting closed just last Friday, two business days
25 ago, and Prime Clerk has yet to provide a report of the voting. An examination of the voting
26 process which occurred is necessary to decide how serious this disenfranchisement is.
27

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EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME TO HEAR A MOTION FOR
APPOINTMENT OF AN EXAMINER OF VOTING PROCEDURAL IRREGULARITIES PURSUANT TO
SECTION 1104 (c) OF THE BANKRUPTCY CODE AND RULE 2007.1

1 Moving parties request a deadline by May 20, 2020 for parties to respond and a hearing
2 date of May 21, 2020. There have been no previous requests for an order shortening time.

3 Dated: May 19, 2019

THE KANE LAW FIRM

4 /s/ Bonnie E. Kane

5 BONNIE E. KANE

6 Attorneys for Karen Gowins and Many Fire Victim
7 Creditors